

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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RAVIDATH LAWRENCE RAGBIR, et al.,

Plaintiffs,

18-cv-1159 (PKC)

-against-

ORDER

THOMAS D. HOMAN, et al.,

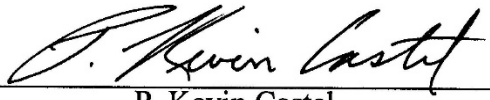
Defendants.

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CASTEL, U.S.D.J.

The Court appreciates the filing of the October 1, 2021 letter by the government. But it is hardly responsive to the Court's Order. While I appreciate hearing the government's perception of the strength of its motion, that was not among the Court's principal points of interests as expressed in the Order. As this Court noted, "The Circuit remanded the matter to this Court not because it considered this Court better equipped to read motion papers but '[b]ecause the issue of mootness may require additional fact-finding. . . .' Ragbir v Johnson, 18-1597 (2d Cir June 29, 2021)." The present dispute has its origins with a request by plaintiff for a preliminary injunction and presently there is a stay in place. It is in the public interest that the matter proceed to a prompt disposition.

I will provisionally schedule the remanded issue for an evidentiary hearing on November 15, 2021 at 11:00 a.m., continuing from day to day if necessary. If, after reading the government's papers which are to be filed on November 8, I am of the view that the matter may likely be resolved without the need for an evidentiary hearing, I will vacate the hearing date.

SO ORDERED.



P. Kevin Castel
United States District Judge

Dated: New York, New York
October 6, 2021